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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named  
Inventor : Jeffrey Duane Vance

Appln. No.: 10/075,180

Filed : February 13, 2002

For : POLYMERIC MATERIAL WITH  
RESISTANT STRUCTURE AND  
METHOD

Docket No.: H49.12-0003

Group Art Unit: 1772  
Examiner: S.M. Nolan

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS  
BEING SENT BY U.S. MAIL, FIRST CLASS, TO  
THE COMMISSIONER FOR PATENTS, P.O.  
BOX 1450, ALEXANDRIA, VA 22313-1450,  
THIS

*Handwritten:* 13 DAY OF September 04  
*Signature:* Duane Vance  
PATENT ATTORNEY

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed May 11, 2004, finally rejecting claims 1, 3-5, 7-14, and 30-36.

**FEE STATUS**

[X] Small entity status under 37 C.F.R. §§ 1.9 and 1.27 is established by a verified statement previously filed on June 13, 2002.

**FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b) the fee for filing the Notice of Appeal is:

[ ] other than a small entity	\$330.00
[X] small entity	\$165.00

**EXTENSION OF TIME**

These proceedings are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(a) [X] Applicant petitions for an extension of time

under 37 C.F.R. § 1.17(a)-(d) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
[X] one month	\$ 110.00	\$ 55.00
[ ] two months	\$ 420.00	\$210.00
[ ] three months	\$ 950.00	\$475.00
[ ] four months	\$1,480.00	\$740.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[ ] An extension for One month has already been secured and the fee paid therefor of \$55.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$55.00

or

(b) [ ] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$165.00

Extension fee (if any) \$55.00

**Total Fee Due \$220.00**

**FEE PAYMENT**

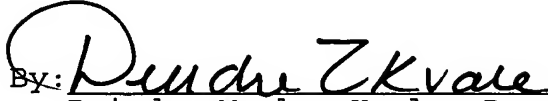
[X] A check in the amount of \$220.00 is attached.

[ ] Charge Deposit Account No. 23-1123, the sum of \$\_.

The Director is authorized to charge any additional fees associated with this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this communication is enclosed.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

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DMK:bjt